

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Elijah Schimkewitsch

Plaintiff(s),

-against-

New York Institute of Technology,

Defendant(s).

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**SHIELDS, Magistrate Judge:**

**Conference Date:** 10/25/2021 at 12:00 PM. The parties are directed to call the ATT teleconferencing center at (877) 810-9415 and to enter Access Code 9005911 when prompted. The parties are directed to confirm the date and time of this conference with each other. In the event that an adjournment is requested, any such request must be made pursuant to this Court's individual rules regarding adjournments and must be electronically filed as a "Motion," and not as a letter.

The above captioned matter has been assigned to United States Magistrate Judge Anne Y. Shields for the purposes of scheduling discovery, resolution of discovery disputes, settlement conferences, and any other purpose set forth in 28 U.S.C. §636(b)(1)(A). Counsel for each represented party and any party proceeding without an attorney (a "*pro se*" party) must appear in person for an initial conference at the date and time indicated above.

Prior to the conference all counsel and/or *pro se* parties are directed to meet and confer regarding the discovery needs of this case, including a discussion of the exchange of electronically stored information ("ESI") and to prepare a proposed discovery plan. To assist in this process, the Court attaches to this Order a "Discovery Plan Worksheet" that must be completed and submitted to the Court via ECF, at least two days prior to the conference. The Worksheet sets forth a date for completion of all discovery. The parties are directed to establish reasonable interim discovery deadlines to meet the needs of their case. At the conference, the Court will consider the parties' suggested deadlines and, upon consideration of the rules and practices of the assigned District Judge, enter an appropriate scheduling order.

Dated: Central Islip, New York  
September 20, 2021

SO ORDERED:

/s/ Anne Y. Shields  
ANNE Y. SHIELDS  
United States Magistrate Judge

## DISCOVERY PLAN WORKSHEET

### Tier I Pre-Settlement Discovery

Deadline for completion of Rule 26(a) initial disclosures  
and HIPAA-complaint records authorizations: \_\_\_\_\_

Completion date for Phase I Discovery  
as agreed upon by the parties: \_\_\_\_\_  
*(Reciprocal and agreed upon document production,  
generally not including depositions, unless otherwise agreed.  
No more than 30 days after Initial Conference)*

Status conference TBD by the court:  
*(Generally 15 days post Tier I Discovery)* \_\_\_\_\_

### Tier II Discovery and Motion Practice

Motion to join new parties or amend the pleadings:  
*(Presumptively 15 days post status conference)* \_\_\_\_\_

First requests for production of documents  
and for interrogatories due by: \_\_\_\_\_  
*(Presumptively 15 days post joining/amending )*

All fact discovery completed by: \_\_\_\_\_  
*(Presumptively 3.5 months post first  
requests for documents/interrogatories )*

Exchange of expert reports completed by: \_\_\_\_\_  
*(Presumptively 30 days post fact discovery)*

Expert depositions completed by: \_\_\_\_\_  
*(Presumptively 30 days post expert reports)*

Final date to take first step in dispositive motion practice: \_\_\_\_\_  
*(Parties are directed to consult the District Judge's  
individual rules regarding such motion practice.  
Presumptively 30 days post expert depositions)*

Submission of joint pre-trial order: \_\_\_\_\_

Final Pre-Trial Conference TBD by the court: